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BECKMAN COULTER, INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 BECKMAN COULTER, INC.,
15 Plaintiff,
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17 v.
18 HEMOSENSE, INC.,
19 Defendant.
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Case No. C 07-05246-RMW

**DECLARATION OF DAVID C.
DOYLE IN SUPPORT OF
PLAINTIFF BECKMAN
COULTER, INC.'S MOTION FOR
EXTENSION OF TIME TO
SERVE SUMMONS AND
COMPLAINT AND
CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

Civ. Loc. Rule 6-3

Complaint Filed: Oct. 15, 2007
Date: March 14, 2008
Time: 9:00 a.m.
Judge: Hon. Ronald M. Whyte
Courtroom: 6

1 I, David C. Doyle, declare as follows:

2 1. I am a member of the bar of the State of California and am a partner with the law
3 firm of Morrison & Foerster LLP, which represents Beckman Coulter, Inc. ("Beckman") in this
4 matter. I have personal knowledge of the facts stated herein and, if called as a witness, I could
5 and would testify competently as to them.

6 2. Beckman filed the Complaint in this action on October 15, 2007. Because
7 Beckman and Defendant Hemosense, Inc. ("Hemosense") have been engaging in settlement
8 discussions, Beckman has not served the Complaint on Hemosense. Beckman has also engaged
9 in discussions with Inverness Medical Innovations, which has acquired Hemosense.

10 3. Beckman has not attempted to secure a stipulation from Hemosense regarding this
11 extension, because Hemosense has not been served or made an appearance in this case.

12 4. Good cause exists for the requested extension, because the parties are engaged in
13 settlement discussions. Beckman seeks to postpone active litigation and involvement from the
14 Court, which may be unnecessary should the parties resolve Beckman's claim.

15 5. There are no previous time modifications in this case.

16 6. Beckman's requested extension would affect the schedule in this case by
17 approximately 60 days.

18 I declare under penalty of perjury under the laws of the State of California that the
19 foregoing is true and correct. Executed this 8th day of February, 2008, at San Diego, California.

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21 By: /s/ David C. Doyle
22 David C. Doyle

23 Attorneys for Plaintiff
24 BECKMAN COULTER, INC.
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